BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
RECEIVED

Blackland Pork, LLC-Blue Mound (Property Indentification Number 02-15-09-300-006)

) PCB 07- / (S)(Tax Certification) CLERK'S OFFICE
MAY 2 4 2007
STATE OF ILLINOIS
Pollution Control Board

NOTICE

Dorothy M. Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite. 11-500 Chicago, Illinois 60601

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Larry Wernsing 9212 N. 22nd Ave. Raymond, Illinois 62560

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE AND THE RECOMMENDATION</u> of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

Vera Hers

Assistant Counsel

Division of Legal Counsel

DATED: May 21, 2007

Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217) 782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD RECEIVED

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STATE OF ILLINOIS

Pollution Control Board

APPEARANCE

The undersigned, as one of its attorneys, hereby enters an <u>APPEARANCE</u> on behalf of Respondent, Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: May 21, 2007 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARDRECEIVED CLERK'S OFFICE

Blackland Pork, LLC-BlueMound (Property Identification Number) 02-15-09-300-006)

MAY 2 4 2007 STATE OF ILLINOIS Pollution Control Board

RECOMMENDATION

The Illinois Environmental Protection Agency ("Illinois EPA") hereby files its

Recommendation pursuant to Section 125.204 of the regulations of the Illinois Pollution

Control Board, 35 Ill. Adm. Code 125.204.

- On July 25, 2006, the Illinois EPA received a request from Blackland Pork, LLC (log number TC-10-06, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm.
 Code 125.204.
- 2. The applicant's address is:

Blackland Pork, LLC 8699 Zion Chapel Rd

Raymond, Illinois 61078

3. The proposed water pollution control facilities in this request are located at S ½ of Section 9, T15N, R1E of the 3rd P.M. in Macon County, at the above street address, and consist of the following:

Livestock waste management facilities consisting of three concrete manure pits (each 164 ft. x 100 ft. x 8 ft. deep) each with 4 concrete pump out pits (each 3 ft. x 4ft. x 8 ft. deep) and the slotted concrete portion of the floor over the manure pits.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application, and are further described in Exhibit A.

- 4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2004), defines "pollution control facilities" as:
 - "any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution ...or (b) treating, pretreating, modifying or disposing of any potential solid, liquid or gaseous pollutant which if released without treatment, pretreatment modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property."
- Pollution control facilities are entitled to preferential tax treatment, 35 ILCS
 200/11-5.
- 6. Based on the information in the application and the purpose of the facilities, it is the Illinois EPA's engineering judgment that the described facilities may be considered "pollution control facilities," pursuant to 35 Ill. Adm. Code 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in 35 Ill. Adm. Code 125.200, and are eligible for tax certification from the Board.

WHEREFORE, the Illinois EPA recommends that the Board issue the

requested tax certification.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

3y: <u>Vera Na</u>

Vera Herst

Assistant Counsel

Division of Legal Counsel

Dated: May 21, 2006

Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

Douglas P. Scott, Director

Memorandum

To:

Connie Tonsor, Division of Legal Counsel

From: Bruce J. Yurdin, Manager, Watershed Management Section

Date:

MAY - 9 2007

Re:

Blackland Pork, LLC - Blue Mound Recommendation of Tax Certification

Log # TC-10-06

Property Identification # 02-15-09-300-006

The Bureau of Water received a request on July 25, 2006 from Blackland Pork, LLC for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 II. Adm. Code 125.204. We offer the following recommendation.

The water pollution control facilities in this request include the following:

Larry Wernsing (Blackland Pork, LLC) 9212 N. 22nd Ave. Raymond, IL 62560

S ½ of Section 9, T15N, R1E of the 3rd P.M. in Macon County

Livestock waste management facilities consisting of three concrete manure pits (each 164 ft. x 100 ft. x 8 ft. deep) each with 4 concrete pump out pits (each 3 ft. x 4 ft. x 8 ft. deep) and the slotted concrete portion of the floor over the manure pits.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

These facilities are further described in the enclosed applications and supporting documents.

Based on the information included in this submittal, it is our engineering judgment that the above proposed facilities may be considered "Pollution Control Facilities" under 35 IAC 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in this section, and therefore eligible for tax certification from the Illinois Pollution Control Board. The Bureau of Water therefore recommends that the Board issue the requested tax certification for these facilities.

If you have any questions regarding the above, please contact Thaddeus Faught at 217/782-3362.

BJY:TJF:TC-10-06.doc

cc: Tax Cert File

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000 ELGIN – 595 South State, Elgin, IL 60123 – (847) 608-3131 • PEORIA – 5415 N. University St., Peoria, IL 61614 – (309) 693-5463 Bureau of Land - Peoria - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462

Springfield - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892

Champaign - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800

Collinsville - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120 MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

Watershed Unit Tax Certification Review Sheet

Project Name: Reviewer: Log No.:	Blackland Pork ILC Thadden Fright TC-10-06	Location: Date: Type:	Blue Moyell Floring □ Agchem □ Livestock
Applicant:	Larry Wernsons 9212 N. 227 / Avr. Raymond Th 62560 217-229-3633	Contact: Phone:	Michael Stickler 217-632-3904
Facility:	Blackland Polic LLC 3601 Zor Chappe 11. Black Moderal	Property ID:	02-15-89-300-00%
Legal Description:	Section 9 TISN, RIE of the 3" Pill	County:	Macon
Date Control Devices Installed:	Fobrary 1999 + 12/1/06 Signed by Larry Horning	Provided Fair Cash Value:	\$500,000+250,000
Signature:	Stand by Larry Horning	Title:	Co-ovier
2 concreti	ELivestock waste is applied to cropland. ☐ Agrichemical rinsate and spillage is recycled through the f ☐ Other: ☐ Other: ☐ Onor Control Devices: ☐ Convert first Control Code (Code (ent of Garage
another	dentical pir = 3 gits in	F 1	
Other: Nip 55	ye 3/207		
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	cash do come too the son) (

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Thaddeus Faught
Facility Evaluation Unit
Watershed Mgmt Section
Bureau of Water

Thank you for your response to our application. In answer to your questions to our application this is my reply:

- 1. section #9 of Blue Mound Twsp
- 2. pump-out pits are 8' deep
- 3. see attached sheet for written verification

My question for you is since this application was sent in we have built a 3rd building on this site. It is identical to the existing two that were there. Do I need to apply separately for this new building? How do we get the same certification for it also? It was built September-November 2006. It was put into use on 12-1-2006. Please let me know how to proceed on this building.

Thanks,

harry Wernsing
Larry Wernsing
217-229-3638

cc: Michael Stickler



This is to verify that we are seeking property tax certification for the facility at Blackland Pork that includes the value of the concrete manure put and associated pump-out off-sets and the slatted concrete floor that covers this pit. The sole purpose of these is to catch and hold the manure until it is pumped out and spread on the fields.

harry Wernsing

Larry Wernsing-owner Blackland Pork

Michael Stickler-owner

DECEIVED

APR 1 4 2007

Watershed Management Section BUREAU OF WATER



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 ~ (217) 782-3397. James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 ~ (312) 814-6026.

ROD R. BLAGOJEVICH, GOVERNOR

Douglas P. Scott, Director

217/782-3362

APR 4 2007

Mr. Larry Wernsing 9212 N. 22nd Ave. Raymond, IL 62560

Re:

Illinois Property Tax: Blackland Pork -- Blue Mound

Livestock Waste Pollution Control Facilities

Log No. TC-10-06

Dear Mr. Wernsing:

The application for Illinois Property Tax Certification received July 25, 2006 for the above listed facilities has been reviewed and the following is offered for your consideration and appropriate action.

- 1. Please provide the Section number for the location of the facility. The application states that the facility is located in Township 15 North, Range 1 East, but does not indicate the Section.
- 2. Please indicate the depth (in feet) of the 3' x 4' pumpout pits.
- 3. Please provide written verification that you are only seeking certification for the concrete pits, pumpouts and concrete slatted floors. Please be advised that walls, building structures, etc. with the primary purpose of housing livestock above the manure pits are not eligible for tax certification.

Please review the subject applications accordingly for the items specified above and submit to the Illinois Environmental Protection Agency so that we may complete the review of the subject application. Please include the above log number on all correspondence.

If you have any questions or comments concerning the above items, please contact me at the above address and telephone number.

Very truly yours,

Thaddeus Faught

Facility Evaluation Unit

Watershed Management Section

Bureau of Water

TJF:TC-10-06a.doc

cc: T.C. File 🗸

Mr. Michael Stickler, 16637 Rock Creek Ave. Tullula, IL 62688

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY AIR □ WATER □

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY P. O. Box 19276, Springfield, IL 62794-9276 TC-10-06

This Agency is authorized to request this information under Illinois Revised Statues, 1979. Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

	FOR AGENCY U	JŠE	1	
File No.	Date Received	Certification No.	Da	ate
Sec. A Sec. A	Company Name Blackland Park LI Person Authorized to Receive Certification Larry Wernsing Street Address 9313 N. 2200 Municipality, State & Zip Code	Range Rd.	Person to Contact for Addit Michael Street Address 16637 Rock Municipality, State & Zip Co Tallula Telephone Number 217 - 632 - 35 Municipality Tallula Tallula	ional Details ickler Creek Au.
Sec. B	Nature of Operations Conducted at the Ab	ove Location	· · · · · · · · · · · · · · · · · · ·	
MANUFACTURING OPERATIONS	Water Pollution Control Construction Pern NPDES PERMIT No. Air Pollution Control Construction Permit I Air Pollution Control Operating Permit No.	nit No.	Date Issued Date Issued Date Issued	Expiration Date
Sec. C	Describe Unit Process			
MANUFACTURING PROCESS	Materials Used in Process		(and the form of the	ELVED) SE MAS VER CHAMENTAL SON A SERVICH SON A SERVICH
POLLUTION CONTROL 6 FACILITY DESCRIPTION 9	Describe Pollution Abatement Control Face the holding gits until it can be (see a attached	under nead	th the pigs h to surroune	

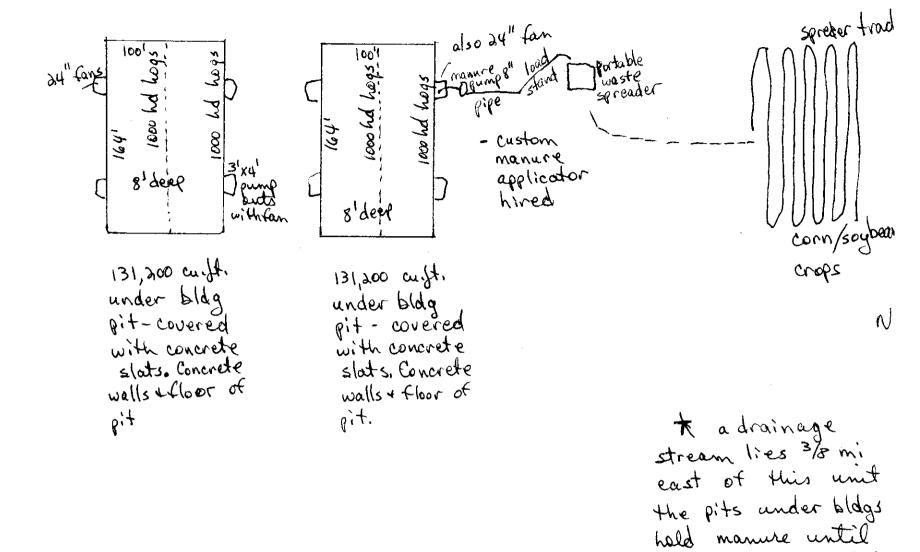
IL 532-0222 APC 151 (Rev. 8/00) Tax Certification for Pollution Control Facilities

Page 1 of 2

8/00

Application of the state of the

					
onto r	ninant or Pollutant	Mater DESCRIPTI		ined, Captured or Recovered DISPOSAL OR USE	
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<u>- w</u>	ine manare	Tight of the	Wire	as tertili	zer suppl
•					4.1
2) Pai	nt(s) of Waste Water Discharg	e none -	hold	ing tanks	until
	The state of the s	rp ed	NO IO	1114 100003	WILLI
		Plans and Speci		Attached Yes 🔼	No 🗖
	Are contaminants (or residues)			Yes , ₹	No 🗆
(4)	Date installation completed Fe		lation o	n date of application <u>(</u>	
(5)	a. FAIR CASH VALUE IF CONS		(appro	(sial) \$ 500,0	000
t	NET SALVAGE VALUE IF CO	INSIDERED REAL PROPERTY	(• •	\$	
(PRODUCTIVE GROSS ANNI	JAL INCOME OF CONTROL FA	CILITY:	\$ 765,0	00
	PRODUCTIVE NET ANNUAL	INCOME OF CONTROL FACIL	TY:	\$ 86,00	00
•	PERCENTAGE CONTROL F	ACILITY BEARS TO WHOLE FA	CILITY	VALUE: % 45	
	owing information is submitted in			Code, as amended, and	
	dge, is true and correct. The facili	ties claimed herein are "pollution	control	facilities" as defined in S	ection 11-10 of the
imois r	Property Tax Code.			4	
Was.	ry Vernsino	co-owner	- 0	perator	
Signati		Title		- *	
Signati		ICTIONS FOR COMPILING AND FI	ING ADE	PLICATION	
.			•		
	 Separate applications must be com erations are related, file two applications 				
Sec. A	Information refers to applicant as li	sted in the tax records and the person	n to be co	ontacted for further details of	r for inspection of
	facilities. Define facility location by outside of municipal boundaries.	street address or legal description. The property identification number is	A plat ma required.	ip location is required for fac	cilities located
Sec. B	<u> </u>	f all permits issued by local pollution		iencies. (e.a. MSD Constru	ction Permit)
Sec. C				· · · · · · · · · · · · · · · · · · ·	0.0
	<u> </u>	s or materials on which pollution con			L
Sec. D	State the type of control facility. St	in control facility, indicating that its plate tate permit number, date, and agenc	v issuing :	permit. A narrative descript	ion and a process
	flow diagram describing the pollution	on control facility. Include a listing of	each maj	or piece of equipment inclu-	ded in the claimed
	collection efficiency.	nclude an <u>average</u> analysis of the inf	ucik and	emiderit of the control facility	saung me
Sec. E		ution substances released as effluer		nanufacturing processes. L	ist also the final
		oved from the manufacturing process contaminants removed from the pro		ne pollution control facility.	
	Item (2) - Refers to water pollution	but can apply to water-carried wast	s from air	r pollution control facilities.	Submit drawings,
	facility.	lischarge to receiving stream, and (t		· · · · · ·	
	Item (3) - If the collected contamin	ants are disposed of other than as w	astes, sta	te the disposition of the ma	terials, and the value
	Item (4) – State the date which the	se of the collected substances. State pollution control facility was first pla	tne cost : ed in sen	ot reclamation and related a vice and operated. If not ex-	expense. Kolain
	Item (5) – This information is esser	ntial to the certification and assessm	ent action	s. This accounting data mu	st be completed to
Sec. F	activate project review prior to certi	ification by this Agency. De a corporate authorized signature.			
	Submit to:	Attention:		Attention:	
	Illinois EPA	Al Keller		Donald E. Sutton	
	P.O. Box 19276	Permit Section		Permit Section	



proper spreading time

in fall.

Blackland Park Lili. Consists of a - 2000 hd hogbldgs. with 8' deep concrete holding pits underneath covered by total stats. The pits will contain the monuse from 12 mo. operation of the bldg. It was built in Feb. 1999 by hanglorn confinement out of Pittstield.

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STATE OF ILLINOIS)	~~
COUNTY OF SANGAMON)	SS
).	

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served the attached Appearance upon the

following person:

Dorothy Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601 Larry Wernsing 9212 N. 122nd Ave. Raymond, Illinois 62560

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794

SEE ATTACHED SERVICE LIST

and mailing it by First-Class Mail from Springfield, Illinois, with sufficient postage affixed to the following persons:

Dated: May 22, 2007

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Vera Herst

Assistant Counsel

Division of Legal Counsel

1021 North Grand Avenue East P.O. Box 19276 Spring field, IL 62794-9276 217/782-5544

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